

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ALMA SUZETTE LONGSWORTH,

Plaintiff,

v.

OFFERPAD, LLC,

Defendant.

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Civil Action No. 3:21-cv-00492

INDEX OF STATE COURT FILE

ITEM	DOCUMENT	DATE OF DOCUMENT AND/OR FILING
1	State Court Docket Sheet	
2	Plaintiff's Original Petition	01/28/21
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5	Corrected Citation	01/28/21
6	Return of Service	02/10/21
7	Defendant's Answer to Plaintiff's Original Petition	03/01/21
8	Dismissal Hearing Notice – By Submission	03/01/21

Respectfully submitted,

/s/ John M. Barcus

John M. Barcus

Texas Bar No. 24036185

john.barcus@ogletreedeakins.com

OGLETREE, DEAKINS, NASH, SMOAK &

STEWART, P.C.

8117 Preston Road, Suite 500

Dallas, Texas 75225

(214) 987-3800 (Telephone)

(214) 987-3927 (Facsimile)

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on March 4, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ John M. Barcus

John M. Barcus

46139253.1

EXHIBIT 1

Case Information

DC-21-01151 | ALMA SUZETTE LONGSWORTH vs. OFFERPAD LLC

Case Number	Court	Judicial Officer
DC-21-01151	160th District Court	REDMOND, AIESHA
File Date	Case Type	Case Status
01/28/2021	EMPLOYMENT	OPEN

Party

PLAINTIFF
LONGSWORTH, ALMA SUZETTE

Active Attorneys ▼
Lead Attorney
MASTERSON, W.D.
Retained

DEFENDANT
OFFERPAD LLC

Address
REGISTERED AGENT CORPORATION SERVICE COMPANY
211 E 7TH STREET SUITE 620
AUSTIN TX 75038

Active Attorneys ▼
Lead Attorney
BARCUS, JOHN M
Retained

Events and Hearings

01/28/2021 NEW CASE FILED (OCA) - CIVIL

01/28/2021 ORIGINAL PETITION ▼

ORIGINAL PETITION

01/28/2021 ISSUE CITATION ▼

ISSUE CITATION - OFFERPAD LLC

corrected ISSUE CITATION - OFFERPAD LLC

01/28/2021 JURY DEMAND ▼

JURY DEMAND FORM

02/02/2021 CITATION ▼

Served

02/05/2021

Anticipated Server

ESERVE

Anticipated Method

Actual Server

OUT OF COUNTY

Returned

02/10/2021

Comment

OFFERPAD, LLC

02/10/2021 RETURN OF SERVICE ▼

EXECUTED CITATION: OFFERPAD, LLC

Comment

EXECUTED CITATION: OFFERPAD, LLC

03/01/2021 ORIGINAL ANSWER - GENERAL DENIAL ▼

ORIGINAL ANSWER

04/06/2021 DISMISSAL FOR WANT OF PROSECUTION ▼

160th Dismissal

Judicial Officer

REDMOND, AIESHA

Hearing Time

3:00 PM

Comment
CASE FILED 1-28-21; DEF SERVED 2-5-21

Financial

LONGSWORTH, ALMA SUZETTE				
Total Financial Assessment				\$340.00
Total Payments and Credits				\$340.00
2/1/2021	Transaction Assessment			\$340.00
2/1/2021	CREDIT CARD - TEXFILE (DC)	Receipt # 6188-2021-DCLK	LONGSWORTH, ALMA SUZETTE	(\$340.00)

Documents

ORIGINAL PETITION
JURY DEMAND FORM
ISSUE CITATION - OFFERPAD LLC
corrected ISSUE CITATION - OFFERPAD LLC
EXECUTED CITATION: OFFERPAD, LLC
160th Dismissal
ORIGINAL ANSWER

EXHIBIT 2

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Plaintiff,

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DALLAS COUNTY, TEXAS

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160th JUDICIAL DISTRICT

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Defendant.

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JURY TRIAL DEMANDED

PLAINTIFF'S ORIGINAL PETITION

COMES NOW, Plaintiff Alma Suzette Longworth ("Plaintiff" or "Longworth") complaining of OfferPad, LLC ("Defendant" or "OfferPad"), and files this Plaintiff's Original Petition. For causes of action, Plaintiff respectfully shows:

PARTIES, CLAIMS FOR RELIEF AND SERVICE

- a. Discovery is intended to be conducted under Level Two of TRCP 190.
- b. Damages sought are within the jurisdictional limits of the Court. Plaintiff seeks monetary relief over \$250,000 but not more than \$1,000,000 which is the maximum amount claimed.
- c. Plaintiff is an individual, a resident and citizen of the State of Texas who can be contacted in care of her undersigned counsel of record. The last three digits of the Plaintiff's driver's license are 173. The last three digits of the Plaintiff's Social Security number are 479.
- d. OfferPad, LLC, is a foreign limited liability company with its Texas address located at 1525 W. Walnut Hill, Suite 260, Irving, Texas. Said Defendant can be served

through its registered agent, Corporation Service Company dba CSC - Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, Texas 78701.

II.

JURISDICTION AND VENUE

2.01 The Court has jurisdiction over this matter because the amount in controversy is within the jurisdictional limits of the Court. The Court has venue over Defendant because all or a substantial part of events giving rise to the claim took place in Texas.

III.

REQUEST FOR DISCLOSURE

3.02 Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Defendant is hereby requested to disclose, to Plaintiff, within 50 days of the service of this Request, the information or material described in Rule 194.2(a) - (k).

IV.

BACKGROUND FACTS

4.01 Plaintiff, an African American-Latino female, began working for OfferPad on March 4, 2019. Plaintiff's position was a Service Manager. Plaintiff's compensation was \$68,000 annually.

4.02 Plaintiff was the only female Service Manager out of 7 Service Managers. Plaintiff managed Defendant's Dallas office which consisted of 4 Field Techs.

4.03 Plaintiff was initially hired to service and manage all of Texas but Defendant's Houston market surpassed the Dallas market within months and Defendant felt that another Service Manager for the Houston market was needed.

4.04 Defendant promoted their Houston Field Tech to a Service Manager roughly three months after Plaintiff's start date.

4.05 Some Caucasian executives and other Caucasian employees at Defendant made sexist and racist jokes via conference calls and team messages while Plaintiff was on the calls and included in the team messages. The participants include the following: Jenn Marble - Closing Manager- Corporate, Drew Svorinic- Service Manager Director – Corporate, Derrick Dickerson - Director - Corporate, and Steven Lawrence - Service Manager – NC.

4.06 Plaintiff received accolades and had an above average yearly performance review one month before she was terminated.

4.07 Plaintiff was terminated on May 4, 2020. Plaintiff was the only Service Manager to be laid off. On Plaintiff's team the only African American Field Tech was also laid off. The three other Caucasian employees remained and were not affected by the layoff.

V.

FIRST COUNT

**DISCRIMINATION BECAUSE OF RACE AND GENDER IN VIOLATION OF
THE TEXAS LABOR CODE**

5.01 The foregoing paragraphs of this Complaint are incorporated in this count as fully as if set forth at length herein.

5.02 Plaintiff is an African American employee within the meaning of Chapter 21 of the Texas Labor Code and belongs to a class protected under the statute. LAB §21.051.

5.03 Defendant is an employer within the meaning of the Texas Labor Code.
LAB §21.002(8).

5.04 All conditions precedent to filing this action for discrimination under state law have been met. Plaintiff timely filed with the Texas Workforce Commission - Civil Rights Division a Charge of Discrimination against Defendant. Plaintiff received a Notice of Right to Sue from the Texas Workforce Commission within sixty days of the filing of this Petition. A copy of the Notice of Right to File a Civil Action is attached as **Exhibit A** hereto.

5.05 Plaintiff is entitled to an award of attorney and expert fees and costs under the Texas Labor Code.

5.06 Such conduct by Defendant occurred with discrimination as a motivating factor and the actions taken against Plaintiff were intentional. Accordingly, Plaintiff is entitled to recover damages from Defendant for back pay, front pay, past and future pecuniary losses, emotional pain and suffering, inconvenience, loss of enjoyment of life and other nonpecuniary losses. Further, this discrimination was done by Defendant with malice or with reckless indifference to Plaintiff's protected rights. Plaintiff is therefore also entitled to recover punitive damages.

5.07 As a result of Plaintiff's wrongful discharge, Plaintiff has suffered past and future lost earnings and benefits, and past and future damage to earnings capacity, and has endured shame, embarrassment, humiliation and mental, emotional and physical pain and anguish for which Plaintiff sues. Plaintiff therefore seeks actual damages in an amount in excess of the minimum jurisdictional limit of this Court.

5.08 Defendant has intentionally discriminated and retaliated against Plaintiff because of her race, sex (gender) and color by exhibiting bias toward Plaintiff and treating Plaintiff in a discriminatory manner compared with his peers. Discrimination was a motivating factor in Defendant's conduct.

VI.

SECOND, THIRD AND FOURTH COUNTS

**RETALIATION, HARASSMENT AND HOSTILE ENVIRONMENT
UNDER THE TEXAS LABOR CODE**

6.01 The foregoing paragraphs of this Petition are incorporated in this Count by reference as fully as if set forth at length herein.

6.02 Plaintiff was retaliated against for complaining to Defendant's HR about discrimination based upon her race, sex (gender) and color. Plaintiff was harassed as a result of her complaints and subjected to a hostile environment.

6.03 The conduct engaged in by Defendant toward Plaintiff with discrimination, retaliation and harassment as motivating factors, created a hostile environment in which Plaintiff had to work.

6.04 The Texas Workforce Commission within the past sixty (60) days preceding filing this lawsuit, issued a Notice of Right to File a Civil Action, a copy of which is attached as **Exhibit A** hereto and is incorporated herein by reference.

6.05 Such discrimination, retaliation, harassment, and hostile environment by Defendant against Plaintiff was intentional. Accordingly, Plaintiff is entitled to recover damages from Defendant for back pay, front pay, benefits, future pecuniary losses, emotional pain and suffering, inconvenience, loss of enjoyment of life, other nonpecuniary losses, and compensatory damages. Further, this discrimination, retaliation, harassment, and hostile environment was willful, malicious, and occurred with conscious indifference. Plaintiff is therefore entitled to recover punitive damages. Plaintiff is also entitled to recover all costs of Court and attorneys' fees.

VII.

JURY DEMAND

7.01 PLAINTIFF DEMANDS A TRIAL BY JURY.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendant be cited to appear and answer herein, and that on final trial, Plaintiff have and recover the following relief against Defendant:

- I. Judgment for actual damages in the amount of past and future lost earnings and benefits and damages to past and future earnings capacity;
- II. Judgment for back pay and front pay as allowed by law;
- III. Judgment for compensatory damages, including past and future pecuniary losses, emotional pain and suffering, inconvenience, loss of enjoyment of life and other nonpecuniary losses;
- IV. Punitive and exemplary damages in an amount to be determined by the trier of fact;
- V. Prejudgment and post-judgment interest at the maximum legal rate;
- VI. All costs of Court;
- VII. Attorneys' and expert fees;
- VIII. Such other and further relief to which Plaintiff may be justly entitled.

Dated this 28th day of January 2021.

Respectfully submitted,

KILGORE & KILGORE, PLLC

By *W. D. Masterson*

W. D. Masterson

SBN 13184000

wdm@kilgorelaw.com

3109 Carlisle Street

Dallas, Texas 75204

(214) 969-9099 - Telephone

(214) 953-0133 – Fax

ATTORNEYS FOR PLAINTIFF

ALMA SUZETTE LONGSWORTH

Texas Workforce Commission

A Member of Texas Workforce Solutions

Bryan Daniel, Chairman
Commissioner Representing
the Public

Julian Alvarez
Commissioner Representing
Labor

Aaron Demerson
Commissioner Representing
Employers

Edward Sema
Executive Director

January 9, 2021

NOTICE OF COMPLAINANT'S RIGHT TO FILE CIVIL ACTION

Alma S. Longworth
c/o W. D. Masterson
Kilgore & Kilgore, PLLC
3109 Carlisle Street
Dallas, TX 75204

Re: ***Alma S. Longworth v. Offerpad Corporation***
EEOC Complaint # 450-2020-04193

Exhibit

A

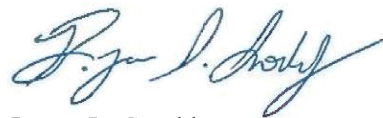
Dear Alma S. Longworth:

The above-referenced case was processed by the United States Equal Employment Opportunity Commission or a local agency. Pursuant to Sections 21.252 and 21.254 of the Texas Labor Code, this notice is to advise you of your right to bring a private civil action in state court in the above-referenced case. **YOU HAVE SIXTY (60) DAYS FROM THE RECEIPT OF THIS NOTICE TO FILE THIS CIVIL ACTION.**

If your case has been successfully resolved by the U. S. Equal Employment Opportunity Commission or another agency through a voluntary settlement or conciliation agreement, you may be prohibited by the terms of such an agreement from filing a private civil action in state court pursuant to the Texas Commission on Human Rights Act, as amended.

The United States Supreme Court has held in *Kremer v. Chemical Construction Corporation*, 456 U.S. 461 (1982), that a federal district court must generally dismiss a Title VII action involving the same parties and raising the same issues as those raised in a prior state court action under Chapter 21 of the Texas Labor Code. Therefore, filing a lawsuit in state court based on the issuance of this notice of right to file a civil action may prevent you from filing a lawsuit in federal court based on Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e - et seq.

Sincerely,



Bryan D. Snoddy
Director, Civil Rights Division

RETAIN ENVELOPE TO VERIFY DATE RECEIVED

Copy to:

Via e-mail: brian.bair@offerpad.com

Offerpad Corporation

c/o: Brian Bair, Chief Executive Officer

2150 E Germann Rd, Suite 1

Chandler, AZ 85286

Certificate Of Completion

Envelope Id: 02B0EFA261004C67867ACCBEE206FFD2

Status: Sent

Subject: Longworth_EEOC RTS Letter_450-2020-04193.pdf

docSeqId:

docType:

Source Envelope:

Document Pages: 1

Signatures: 0

Envelope Originator:

Certificate Pages: 5

Initials: 0

Lynda Pringle

AutoNav: Enabled

101 E. 15th Street, Room 0154-B

EnvelopId Stamping: Enabled

Austin, TX 78778

Time Zone: (UTC-06:00) Central Time (US & Canada)

lynda.pringle@twc.state.tx.us

IP Address: 172.19.135.195

Record Tracking

Status: Original

Holder: Lynda Pringle

Location: DocuSign

1/9/2021 3:22:48 PM

lynda.pringle@twc.state.tx.us

Signer Events**Signature****Timestamp****In Person Signer Events****Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp**

Brian Bair

Sent: 1/9/2021 3:24:25 PM

brian.bair@offerpad.com

Security Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

W.D. Masterson

Sent: 1/9/2021 3:24:24 PM

wdm@kilgorelaw.com

Security Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Accepted: 1/6/2020 5:51:09 PM

ID: 0eb600da-c573-4374-9d51-ccf4d3bc6d41

W.D. Masterston

Sent: 1/9/2021 3:24:25 PM

rlb@kilgorelaw.com

Viewed: 1/11/2021 9:17:17 AM

Security Level: Email, Account Authentication
(None)**VIEWED**

Using IP Address: 24.227.254.130

Electronic Record and Signature Disclosure:

Accepted: 12/9/2019 3:08:12 PM

ID: 03e2b075-7e66-49c6-a470-34aeafce99

Carbon Copy Events**Status****Timestamp****Witness Events****Signature****Timestamp**

Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	1/9/2021 3:24:25 PM
Certified Delivered	Security Checked	1/11/2021 9:17:17 AM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

CONSUMER DISCLOSURE

From time to time, Carahsoft obo Texas Workforce Commission (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign, Inc. (DocuSign) electronic signing system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the "I agree" button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after signing session and, if you elect to create a DocuSign signer account, you may access them for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign "Withdraw Consent" form on the signing page of a DocuSign envelope instead of signing it. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures

electronically from us.

How to contact Carahsoft obo Texas Workforce Commission:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: heather.hall@twc.state.tx.us

To advise Carahsoft obo Texas Workforce Commission of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at heather.hall@twc.state.tx.us and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc. to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in the DocuSign system.

To request paper copies from Carahsoft obo Texas Workforce Commission

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to heather.hall@twc.state.tx.us and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Carahsoft obo Texas Workforce Commission

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to heather.hall@twc.state.tx.us and in the body of such request you must state your e-mail, full name, US Postal Address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X
Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari®, 3.0 or above (Mac only)
PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	Allow per session cookies

** These minimum requirements are subject to change. If these requirements change, you will be asked to re-accept the disclosure. Pre-release (e.g. beta) versions of operating systems and browsers are not supported.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the "I agree"™ button below.

By checking the "I agree"™ box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC CONSUMER DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Carahsoft obo Texas Workforce Commission as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Carahsoft obo Texas Workforce Commission during the course of my relationship with you.

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Rebecca Baird on behalf of W. Masterson
Bar No. 13184000
rlb@kilgorelaw.com
Envelope ID: 50132467
Status as of 2/1/2021 10:17 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Rebecca Baird		rlb@kilgorelaw.com	1/28/2021 1:58:33 PM	SENT
Bill Masterson		wdm@kilgorelaw.com	1/28/2021 1:58:33 PM	SENT

EXHIBIT 3



FELICIA PITRE
DALLAS COUNTY DISTRICT CLERK

NINA MOUNTIQUE
CHIEF DEPUTY

CAUSE NO. DC-21-01151

ALMA SUZETTE LONGSWORTH

VS.

OFFERPAD LLC

160th District Court

ENTER DEMAND FOR JURY

JURY FEE PAID BY: ALMA SUZETTE LONGSWORTH

FEE PAID: 40

EXHIBIT 4

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: OFFERPAD LLC
BY SERVING REGISTERED AGENT CORPORATION SERVICE COMPANY
D/B/A CSC-LAWYERS INCORPORATING SERVICE COMPANY
211 E. 7TH STREET, SUITE 620
AUSTIN, TEXAS 78701**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the **160th District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **ALMA SUZETTE LONGSWORTH**

Filed in said Court **28th day of December, 2020** against

OFFERPAD LLC

For Suit, said suit being numbered **DC-21-01151**, the nature of which demand is as follows:
Suit on **EMPLOYMENT** etc. as shown on said petition & **REQUEST FOR DISCLOSURE**,
a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 2nd day of February, 2021.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
ANGELA CONEJO



ESERVE

CITATION

DC-21-01151

**ALMA SUZETTE LONGSWORTH
vs.
OFFERPAD LLC**

**ISSUED THIS
2nd day of February, 2021**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: ANGELA CONEJO, Deputy

**Attorney for Plaintiff
W.D. MASTERSON
KILGORE & KILGORE PLLC
3109 CARLISLE, SUITE 200
DALLAS, TEXAS 75204
214-969-9099
wdm@kilgorelaw.com**

**DALLAS COUNTY
SERVICE FEES
NOT PAID**

OFFICER'S RETURN

Case No. : DC-21-01151

Court No.160th District Court

Style: ALMA SUZETTE LONGSWORTH

vs.

OFFERPAD LLC

Came to hand on the _____ day of _____, 20_____, at _____ o'clock _____ .M. Executed at _____,
within the County of _____ at _____ o'clock _____ .M. on the _____ day of _____,
20_____, by delivering to the within named _____

each in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ _____

For mileage \$ _____ of _____ County, _____

For Notary \$ _____ By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20_____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

EXHIBIT 5

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: OFFERPAD LLC
BY SERVING REGISTERED AGENT CORPORATION SERVICE COMPANY
D/B/A CSC-LAWYERS INCORPORATING SERVICE COMPANY
211 E. 7TH STREET, SUITE 620
AUSTIN, TEXAS 78701**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the **160th District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **ALMA SUZETTE LONGSWORTH**

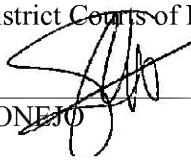
Filed in said Court **28th day of January, 2021** against

OFFERPAD LLC

For Suit, said suit being numbered **DC-21-01151**, the nature of which demand is as follows:
Suit on **EMPLOYMENT** etc. as shown on said petition & **REQUEST FOR DISCLOSURE**,
a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 2nd day of February, 2021.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By  , Deputy
ANGELA CONEJO



ESERVE

CITATION

DC-21-01151

**ALMA SUZETTE LONGSWORTH
vs.
OFFERPAD LLC**

**ISSUED THIS
2nd day of February, 2021**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: ANGELA CONEJO, Deputy

**Attorney for Plaintiff
W.D. MASTERSON
KILGORE & KILGORE PLLC
3109 CARLISLE, SUITE 200
DALLAS, TEXAS 75204
214-969-9099
wdm@kilgorelaw.com**

**DALLAS COUNTY
SERVICE FEES
NOT PAID**

OFFICER'S RETURN

Case No. : DC-21-01151

Court No.160th District Court

Style: ALMA SUZETTE LONGSWORTH

vs.

OFFERPAD LLC

Came to hand on the _____ day of _____, 20_____, at _____ o'clock _____ .M. Executed at _____,
within the County of _____ at _____ o'clock _____ .M. on the _____ day of _____,
20_____, by delivering to the within named _____

each in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ _____

For mileage \$ _____ of _____ County, _____

For Notary \$ _____ By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20_____,

to certify which witness my hand and seal of office.

Notary Public _____ County _____

EXHIBIT 6

AFFIDAVIT OF SERVICE

State of Texas

County of Dallas

160th Judicial District Court

Case Number: DC-21-01151

Plaintiff:

ALMA SUZETTE LONGSWORTH

vs.

Defendant:

OFFERPAD, LLC

Received these papers on the 4th day of February, 2021 at 3:00 pm to be served on **OFFERPAD, LLC** care of its **Registered Agent, CORPORATION SERVICE COMPANY D/B/A CSC – LAWYERS INCORPORATING SERVICE COMPANY, 211 E 7th Street, Suite 620, Austin, Travis County, TX 78701.**

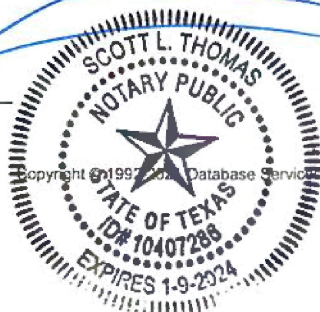
I, Thomas Kroll, being duly sworn, depose and say that on the **5th day of February, 2021 at 9:15 am, I:**

hand delivered a true copy of this **Citation together with Plaintiff's Original Petition and Request for Disclosure and attached Exhibits** to **OFFERPAD, LLC** care of its **Registered Agent, CORPORATION SERVICE COMPANY D/B/A CSC – LAWYERS INCORPORATING SERVICE COMPANY**, by and through its designated agent, **SAMANTHA GUERRA**, at the address of: **211 E 7th Street, Suite 620, Austin, Travis County, TX 78701**, having first endorsed upon such copy of such process the date of delivery.

I certify that I am approved by the Judicial Branch Certification Commission, Misc. Docket No. 05-9122 under rule 103, 501, and 501.2 of the TRCP to deliver citations and other notices from any District, County and Justice Courts in and for the State of Texas. I am competent to make this oath; I am not less than 18 years of age, I am not a party to the above-referenced cause, I have not been convicted of a felony or a crime of moral turpitude, and I am not interested in the outcome of the above-referenced cause.

Subscribed and Sworn to before me on the 5th day of February, 2021 by the affiant who is personally known to me.


NOTARY PUBLIC





Thomas Kroll
PSC - 3012, Exp. 8/31/2021

Our Job Serial Number: THP-2021000519
Ref: 0350313



FLB 4 2021

03⁰⁰ pm

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: OFFERPAD LLC
BY SERVING REGISTERED AGENT CORPORATION SERVICE COMPANY
D/B/A CSC-LAWYERS INCORPORATING SERVICE COMPANY
211 E. 7TH STREET, SUITE 620
AUSTIN, TEXAS 78701**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the **160th District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **ALMA SUZETTE LONGSWORTH**

Filed in said Court **28th day of January, 2021** against

OFFERPAD LLC

For Suit, said suit being numbered **DC-21-01151**, the nature of which demand is as follows:
Suit on **EMPLOYMENT** etc. as shown on said petition & **REQUEST FOR DISCLOSURE**,
a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 2nd day of February, 2021.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
ANGELA CONEJO



ESERVE

CITATION

DC-21-01151

**ALMA SUZETTE LONGSWORTH
vs.
OFFERPAD LLC**

**ISSUED THIS
2nd day of February, 2021**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: ANGELA CONEJO, Deputy

**Attorney for Plaintiff
W.D. MASTERSON
KILGORE & KILGORE PLLC
3109 CARLISLE, SUITE 200
DALLAS, TEXAS 75204
214-969-9099
wdm@kilgorelaw.com**

**DALLAS COUNTY
SERVICE FEES
NOT PAID**

RETURN / AFFIDAVIT
PROOF - ATTACHED

OFFICER'S RETURN

Case No. : DC-21-01151

Court No. 160th District Court

Style: ALMA SUZETTE LONGSWORTH

vs.

OFFERPAD LLC

Came to hand on the 4th day of FEB, 20 21, at 3⁰⁰ o'clock P.M. Executed at _____,
within the County of _____ at _____ o'clock _____M. on the _____ day of _____,
20 _____, by delivering to the within named _____

each in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ _____
For mileage \$ _____ of _____ County
For Notary \$ _____ By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

EXHIBIT 7

CAUSE NO. DC-21-01151

ALMA SUZETTE LONGSWORTH,

Plaintiff,

v.

OFFERPAD, LLC,

Defendant.

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IN THE DISTRICT COURT

DALLAS COUNTY, TEXAS

160TH JUDICIAL DISTRICT

DEFENDANT’S ANSWER TO PLAINTIFF’S ORIGINAL PETITION

Defendant Offerpad, LLC (“Defendant”) files its Original Answer to Plaintiff’s Original Petition (“Petition”) filed by Alma Suzette Longworth (“Plaintiff”) and states:

I.

GENERAL DENIAL

1. Defendant denies each and every allegation in the Petition, all and singular, and demands strict proof thereof in accordance with the Constitution and laws of the United States and the State of Texas.

RELIEF REQUESTED

For the foregoing reasons, Defendant respectfully requests that upon final hearing, the Court enter judgment for Defendant and against Plaintiff on all of her claims, causes of action, and requests for relief, dismissing the same with prejudice; award Defendant its attorney’s fees and costs of court; and grant all other relief, general or special, at law or in equity, to which Defendant may be justly entitled.

Respectfully submitted,

/s/ John M. Barcus

John M. Barcus

Texas Bar No. 24036185

john.barcus@ogletreedeakins.com

OGLETREE, DEAKINS, NASH, SMOAK &

STEWART, P.C.

8117 Preston Road, Suite 500

Dallas, Texas 75225

(214) 987-3800 (Telephone)

(214) 987-3927 (Facsimile)

ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that on March 1, 2021, I electronically transmitted the foregoing document to the Clerk of Court using the Court's ECF system, which will provide a Notice of Electronic Filing to all counsel of record:

W.D. Masterson
Kilgore & Kilgore, PLLC
3109 Carlisle Street
Dallas, TX 75204
wdm@kilgorelaw.com

/s/ John M. Barcus

John M. Barcus

46186937.1

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

John Barcus on behalf of John Barcus
Bar No. 24036185
john.barcus@ogletreedeakins.com
Envelope ID: 51005079
Status as of 3/1/2021 2:16 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Bill Masterson		wdm@kilgorelaw.com	3/1/2021 8:40:54 AM	SENT
Rebecca Baird		rlb@kilgorelaw.com	3/1/2021 8:40:54 AM	SENT
John Barcus		john.barcus@ogletreedeakins.com	3/1/2021 8:40:54 AM	SENT
Yolanda Bables		yolanda.bables@ogletreedeakins.com	3/1/2021 8:40:54 AM	SENT

EXHIBIT 8



160TH DISTRICT COURT
GEORGE ALLEN COURTS BLDG.
600 COMMERCE STREET
DALLAS, TX 75202-4606
214-653-7273

3/1/2021

W.D. MASTERSON
Attn KILGORE & KILGOREPLLC
3109 CARLISLE STE 200
DALLAS TX 75204

Re:

ALMA SUZETTE LONGSWORTH
vs.
OFFERPAD LLC
DC-21-01151

DISMISSAL HEARING NOTICE – BY SUBMISSION

The above case is set for dismissal for want of prosecution **BY SUBMISSION** on 04/06/2021 at 3:00 PM. in the 160th District Court, Dallas County, Texas.

If you have perfected service and no answer has been filed, you must have moved for or have proved up a default judgment on or prior to the above date. Failure to do so prior to dismissal hearing will automatically result in the dismissal of the case on the above date and time and place.

If you have not perfected service on all parties prior to said dismissal date, you must **APPEAR BY SUBMISSION FOR THE DISMISSAL HEARING**. During said hearing you will have the opportunity to show by way of verified motion, good cause for maintaining the case on the docket. The court **SHALL** dismiss for Want of Prosecution unless there is a showing of good cause.

Sincerely

/s/ Nicholas Zaragoza
Nicholas Zaragoza,
Court Coordinator